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9 UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF WASHINGTON

11 UNITED STATES OF AMERICA,

Case No.: 1:22-CR-02109-SAB-1

12 Plaintiff,

Motion for Detention

13 v.

14 GREGORIO CANTU,

15 Defendant.

16
17 The United States moves for pretrial detention of Defendant, pursuant to 18
18 U.S.C. § 3142(e) and (f).

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20 1. Eligibility of Case

21 This case is eligible for a detention order because the case involves (check
22 one or more):

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24 ☒ Crime of violence (as defined in 18 U.S.C. § 3156(a)(4) which
25 includes any felony under Chapter 77, 109A, 110 and 117);

26
27 ☐ Maximum penalty of life imprisonment or death;
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☐ Drug offense with maximum penalty of 10 years or more;

☐ Felony, with two prior convictions in above categories;

☐ Felony that involves a minor victim or that involves the possession or

use of a firearm or destructive device as those terms are defined in 18 U.S.C.

§ 921, or any other dangerous weapon, or involves a failure to register under 18

U.S.C. § 2250;

☒ Serious risk Defendant will flee; or

☒ Serious risk obstruction of justice.

2. Reason for Detention

The Court should detain Defendant because there is no condition or combination of conditions which will reasonably assure (check one or both):

☒ Defendant's appearance as required; or

☒ Safety of any other person and the community.

3. Rebuttable Presumption.

The United States ☒ will ☐ will not invoke the rebuttable presumption against Defendant under 18 U.S.C. § 3142(e).

If the United States is invoking the presumption, it applies because there is probable cause to believe Defendant committed:

☐ Drug offense with maximum penalty of 10 years or more;

☐ An offense under 18 U.S.C. §§ 924(c), 956(a), or 2332b;

☒ An offense under 18 U.S.C. §§ 2332b (g)(5)(B) for which a maximum term of imprisonment of 10 years or more is prescribed;

☐ An offense under chapter 77 of Title 18, United States Code, for which a maximum term of imprisonment of 20 years or more is prescribed;

☐ An offense involving a minor victim under 18 U.S.C. §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1), 2252(a)(2), 2252(a)(3), 2252A(a)(1), 2252A(a)(2), 2252A(a)(3), 2252A(a)(4), 2260, 2421, 2422, 2423, or 2425;

☐ Other circumstances as defined in 18 U.S.C. § 3142(e)(2).

4. Time for Detention Hearing

The United States requests that the Court conduct the detention hearing:

☒ At the first appearance, or

☐ After a continuance of three days.

5. No Contact Order

The United States further requests, in addition to pretrial confinement, that Defendant be subject to the following condition:

Defendant shall have no contact whatsoever, direct or indirect, with any persons Defendant knows or reasonably should know are or may become a victim

1 or potential witness in the subject investigation or prosecution. Prohibited forms of
2 contact include, but are not limited to, telephone, mail, email, text, video, social
3 media, and/or any contact through any third person or parties.
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5 Dated: November 10, 2022.

6 Vanessa R. Waldref
7 United States Attorney

8 s/Frances E. Walker

9 Frances E. Walker
10 Assistant United States Attorney
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